

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of

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|--|---|---------------------|
| Telecommunications Relay Services, |) | |
| and Speech-to-Speech Services for |) | |
| Individuals with Hearing and Speech |) | CC Docket No. 98-67 |
| Disabilities |) | |
| |) | |
| Petition for Clarification of Ultratec, Inc. |) | |

AT&T COMMENTS

Pursuant to the Commission's June 26, 2002 Public Notice (DA 02-1490), AT&T Corp. ("AT&T") submits these comments on the petition filed on April 12, 2002 by Ultratec, Inc. ("Ultratec") requesting clarification of the Commission's telecommunications relay service ("TRS") rules with respect to the provision (including mandatory minimum standards) and reimbursement of "captioned telephone" ("CapTel").

Ultratec's petition (pp. 5-7) describes CapTel as an enhanced voice carry-over ("VCO") service provided using a telephone instrument with a text display that allows a TRS user simultaneously to listen to a called party speak and to read a caption of the conversation generated by a communications assistant ("CA") at a relay center, using specially developed voice recognition technology known as "Fastran." The petition states (p. 15) that CapTel is the subject of trials by relay centers for the States of Maryland and Wisconsin. The Maryland trial began on March 5, 2002, and is scheduled to run until at least November (with the possibility of a further three-month extension beyond that date). The Wisconsin trial, involving

slightly over 100 CapTel users, began on October 1, 2001; the petition (id.), states that the Wisconsin trial was scheduled to be completed on June 30, 2002, but AT&T now understands that the trial has been extended until March, 2003.¹ Although the final results of these trials have yet to be reported,² the petition requests (pp. 7-11, 20-21) that the Commission “clarify” at this time that CapTel is a VCO service reimbursable from the interstate TRS Fund, and that certain mandatory minimum standards do not apply to CapTel.

As a nationally recognized provider of TRS, AT&T fully supports the goal of deploying new and innovative technology for relay applications. Nevertheless, AT&T believes that it would be premature at this time for the Commission to make any final determination of the status of CapTel under statutory and regulatory requirements for TRS in the absence of more definitive information than is currently available (including, inter alia, the final results of pending state trials of CapTel service). Such a fuller record will enable the Commission to better assess all elements of the CapTel service, including both customer acceptance of that offering and operational and technical issues posed by the service.

The approach AT&T suggests mirrors the Commission’s past treatment of trial programs for relay services. For example, after Relay Texas submitted its report of a limited trial of video relay service (“VRS”) in 1995, the

¹ Additionally, since the filing of Ultratec’s petition, Virginia Relay on July 1, 2002 commenced a nine-month trial of the CapTel offering

² The Ultratec petition (pp. 17-18 and Appendix A) provides a summary of an interim survey of the Wisconsin trial participants, conducted four months into the CapTel trial in that state.

Commission on the basis of that report initiated a proceeding to evaluate the technical, operational and cost issues posed by that new offering.³ Based on that fuller record, the Commission then implemented rules regarding reimbursement and performance standards for VRS.⁴ Similarly, when the Commission recently considered whether to allow reimbursement from the interstate TRS Fund for relay calls provided via Internet Protocol (“IP Relay”), and whether to waive the application of certain minimum standards to IP Relay service, it did so based on a record developed through actual experience by a number of providers with that offering.⁵

AT&T submits that the Commission should as a matter of prudence follow a similar course in connection with CapTel service, and should defer any determinations regarding reimbursement eligibility and performance standards until after the agency and other interested parties have had an opportunity to fully evaluate

³ Telecommunications Relay Services, the Americans with Disabilities Act of 1990, and the Telecommunications Act of 1996, CC Docket No. 90-571, Notice of Inquiry, FCC 97-7, released January 14, 1997; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, CC Docket 98-67, Notice of Proposed rulemaking, released May 20, 1998.

⁴ Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities, 15 FCC Rcd 5140 (2000).

⁵ Provision of Improved Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities; Petition for Clarification of WorldCom, Inc., CC Docket No. 98-67, Declaratory Ruling and Second Further Notice of Proposed Rulemaking, FCC 02-121, released April 22, 2002. As noted there, in addition to WorldCom (which had been offering IP Relay service on a limited basis since November, 2000), AT&T had also introduced that service on a trial basis.

data concerning that offering, including the final results of pending state trials of CapTel service.

Respectfully submitted,

AT&T Corp.

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July 26, 2002

CERTIFICATE OF SERVICE

I, Theresa Donatiello Neidich, do hereby certify that on this 26th day of July 2002, a copy of the foregoing "AT&T Comments" was mailed by U.S. first class mail, postage prepaid, upon the parties listed below:

/s/ Theresa Donatiello Neidich

Theresa Donatiello Neidich

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